

Steven A. Miller, OSB# 070654
Diane M. Meyers, OSB# 110251
GRAHAM & DUNN, PC
Pier 70 ~ 2801 Alaskan Way Suite 300
Seattle, Washington 98121-1128
Telephone: (206) 624-8300
Facsimile: (206) 340-9599
Attorneys for Bank of America, N.A.

Honorable Thomas M. Coffin

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

BANK OF AMERICA, N.A., a national banking association

Case No. 09-06375-TC

Plaintiff,

STIPULATION AND ORDER TO DISMISS

vs.

DIAMOND WEST LUMBER COMPANY,
LLC, et al.,

Defendants.

STIPULATION

IT IS HEREBY STIPULATED by and between the plaintiff Bank of America, N.A., and defendants Harrison Properties, LLC, Diamond West Holdings, Inc., Diamond West Properties, LLC, and Home Federal Bank (collectively, the "Defendants"), that the above-entitled matter against Defendants may be dismissed with prejudice and without costs.

DATED this 6th day of January, 2012.

GRAHAM & DUNN, PC

ARNOLD GALLAGHER, et al.

By /s/Steven A. Miller

Steven A. Miller, OSB# 070654

Diane M. Meyers, OSB# 110251

Attorneys for Plaintiff Bank of America, N.A.

By /s/Andrew P. Parks

Andrew P. Parks, OSB# 024161

Attorneys for Home Federal Bank, successor in interest to Liberty Bank

STIPULATION AND ORDER TO DISMISS -- 1

GAYDOS CHURNSIDE & BALTHROP, PC

By/s/Donald J. Churnside

Donald J. Churnside, OSB# 791876

Attorneys for Diamond West Holdings, L.L.C.

GLEAVES SWEARINGEN POTTER &
SCOTT, LLP

By/s/Cassie K. Jones

Cassie K. Jones, OSB# 083806

William H. Martin, OSB# 74206

Attorneys for Harrison Properties, L.L.C. and
Diamond West Properties, L.L.C.

ORDER

THIS MATTER having come before the undersigned on the foregoing stipulation of the parties, the Court being fully advised on the premises, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims in this matter against defendants Harrison Properties, LLC, Diamond West Holdings, Inc., Diamond West Properties, LLC, and Home Federal Bank are hereby dismissed with prejudice and without costs to any party.

DONE IN OPEN COURT this 6 day of January, 2012.

JUDGE

